

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

JAMES P. MARDEN, IRIS ZURAWIN MARDEN,
and PATRICE M. AULD,

Defendants.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

PATRICE M. AULD, MERRITT KEVIN AULD,
and JAMES P. MARDEN,

Defendants.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04341 (CGM)

Adv. Pro. No. 10-04343 (CGM)

Adv. Pro. No. 10-04348 (CGM)

MARDEN FAMILY LIMITED PARTNERSHIP, a Delaware limited partnership; B&C MARDEN LLC, a Delaware limited liability company; BERNARD A. MARDEN REVOCABLE TRUST, a Florida trust; ESTATE OF BERNARD A. MARDEN; CHARLOTTE MARDEN (aka CHRIS MARDEN), as trustee and as an individual; PATRICE M. AULD, as trustee, as personal representative, and as an individual; and JAMES P. MARDEN, as trustee, as personal representative, and as an individual,

Defendants.

IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-05118 (CGM)

Plaintiff,

v.

CHARLOTTE M. MARDEN; THE CHARLOTTE M. MARDEN IRREVOCABLE INSURANCE TRUST, a Florida trust; NEAL J. NISSEL, as trustee; JAMES P. MARDEN; PATRICE M. AULD; ALEXANDRIA K. MARDEN; GABRIELLE Z. MARDEN; MEGHAN M. AULD; ELIZABETH C. AULD; AND O.A., a minor,

Defendants.

IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-05168 (CGM)

Plaintiff,

v.

BERNARD MARDEN PROFIT SHARING PLAN; PATRICE M. AULD, as trustee of Bernard Marden Profit Sharing Plan; and JAMES P. MARDEN, as trustee of Bernard Marden Profit Sharing Plan,

Defendants.

**STIPULATION AND ORDER EXTENDING
TIME TO CONCLUDE MEDIATION**

On October 18, 2019, in each of the above-referenced adversary proceedings (the “Adversary Proceedings”), this Court entered the Stipulation and Order Referring Adversary Proceedings to Mediation and Appointing Mediator (collectively, the “Mediation Referral Order”).¹ Under the terms of the Mediation Referral Order: (i) Deborah A. Reperowitz, Esq., counsel to the law firm of Stradley Ronon Stevens & Young, LLP, was selected by the Parties to serve as mediator in these Adversary Proceedings (the “Mediator”); (ii) the mediation was scheduled to conclude not more than 120 days from the date of entry of the Mediation Referral Order, unless extended by mutual consent of the Parties and the Mediator or by order of the Court; and (iii) the Case Management Deadlines would be held in abeyance without further order or notice pending the completion of the mediation.

Pursuant to the terms of the Mediation Referral Order, the mediation was scheduled to conclude by February 15, 2020. The Parties exchanged mediation position statements and various documents and materials, but the mediation was not completed by February 15, 2020. Pursuant to agreements between the Parties and the Mediator, and with the approval of the Court, the time to conclude the mediation was subsequently extended through and including October 29, 2021.² The mediation remains ongoing. The Parties, with the consent of the Mediator, wish to extend the time to conclude the mediation.

Therefore, pursuant to Paragraph 3(f) of the Mediation Referral Order, the Parties and the Mediator consent to, and request, the extension of the time for conclusion of the mediation in these Adversary Proceedings from October 29, 2021 until **January 3, 2022**, subject to further extension by mutual consent of the Parties and the Mediator with the approval of the Court, or by further

¹ To the extent not defined herein, any defined terms shall have the meaning ascribed in the Mediation Referral Order.

² The parties have entered into certain Stipulations and Orders Extending Time To Conclude Mediation, signed and entered by this Court on February 28, 2020, May 14, 2020, August 17, 2020, November 2, 2020, February 2, 2021, March 23, 2021, June 7, 2021, and September 22, 2021.

order of the Court.

Dated: New York, New York
October 25, 2021

<p>PRYOR CASHMAN LLP</p> <p>By: <u>/s/ Richard Levy, Jr.</u> 7 Times Square New York, New York 10036 Telephone: (212) 421-4100 Facsimile: (212) 326-0806 Richard Levy, Jr. Email: rlevy@pryorcashman.com</p> <p><i>Attorneys for Defendants</i></p>	<p>BAKER & HOSTETLER LLP</p> <p>By: <u>/s/ Nicholas J. Cremona</u> 45 Rockefeller Plaza New York, New York 10111 Telephone: (212) 589-4200 Facsimile: (212) 589-4201 David J. Sheehan Email: dsheehan@bakerlaw.com Nicholas J. Cremona Email: ncremona@bakerlaw.com Michael A. Sabella Email: msabella@bakerlaw.com</p> <p><i>Attorneys for Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and for the Estate of Bernard L. Madoff</i></p>
<p>STRADLEY RONON STEVENS & YOUNG, LLP</p> <p>By: <u>/s/ Deborah A. Reperowitz</u> 100 Park Avenue, Suite 2000 New York, New York 10017 Telephone: (212) 812-4138 Facsimile: (212) Deborah A. Reperowitz Email: dreperowitz@stradley.com</p> <p><i>Mediator</i></p>	

SO ORDERED.

**Dated: October 26, 2021
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge**